

judgment.” FED. R. CIV. P. 41(a)(1)(A)(i); *see also Plains Growers, Inc. ex rel. Florists’ Mut. Ins. Co. v. Ickes-Braun Glasshouses, Inc.*, 474 F.2d 250, 253-254 (5th Cir. 1973) (holding Rule 41(a)(1) permits plaintiff to voluntarily dismiss against individual defendants). Cannon and NTX have not appeared in this case, nor have they filed (or served) an answer or a motion for summary judgment. Because this case does not involve a class action, a derivative action, or a receiver appointment or suit, Federal Rules of Civil Procedure 23(e), 23.1(c), 23.2, and 66 do not apply.

Dated: February 7, 2023.

Respectfully submitted,

/s/ Janie L. Frank
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CERTIFICATE OF SERVICE

I, Janie Frank, hereby certify that, on February 7, 2022, I caused a copy of the foregoing to be filed with the Court’s CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants. I further certify that, on the same date, I caused a copy of the foregoing to be served to Defendants Baker and Kim via email.

/s/ Janie L. Frank
JANIE L. FRANK